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FILED

SEP 07 2018

Clerk, U.S. District Court
District Of Montana
Missoula

Attorney for Plaintiff

IN THE U.S. DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

* * * * *

CARL WOOTEN, III,)	Cause No.
)	
Plaintiff,)	
)	
vs.)	COMPLAINT AND
)	DEMAND FOR JURY TRIAL
UNITED STATES OF AMERICA)	
(ex. rel. PUREVIEW/COOPERATIVE)	
HEALTH CENTER DENTAL CLINIC),)	
)	
Defendant.)	

* * * * *

Plaintiff for his complaint against Defendant alleges the following:

JURISDICTION

1. This claim is against the United States following adherence to the Federal Tort Claim Act. This case was filed under 28 U.S.C. § 1346 as it involves a tort claim against the federal government for negligence which occurred at an agency of the United States Government located in Helena, Montana.

FACTUAL ALLEGATIONS

2. Plaintiff (date of birth: 4/8/76) was a dental patient at the Pureview Health Center located in Helena, Montana. He received a variety of services and as a result suffered serious personal injury and associated damages because of the dental care he received at Defendant's facility.

3. The services performed by the Defendant's providers constituted negligent dental care and negligent dental treatment. Defendant's staff deviated from dental standards of care which caused a broken mandible and disruption of teeth which in turn caused dental/medical bills, pain and suffering and damage to Plaintiff's life and lifestyle.

4. More specifically, on November 5, 2015, Plaintiff presented to Pureview/Cooperative Health Center Dental Clinic with complaints of acute dental pain, swelling localized to a side of his face. He told the technician that he thought he may have broken a tooth in the lower right of his mouth (tooth number 30). He was put on Augmentin and told to go to the emergency room for x-rays. He came back to the Pureview/Cooperative Health Center Dental Clinic the next day with reports that his condition was getting worse.

5. On 11/20/15 Plaintiff presented again to Pureview for an extraction of tooth number 30 as that was recommended to him by the technicians at Pureview. It was during that procedure that the dentist (an employee of Defendant) caused Plaintiff's right mandible to be fractured, which caused a cavalcade of problems for Plaintiff. Plaintiff received extensive medical and dental care thereafter and ultimately had procedures done to debride and repair the fracture. It caused other teeth to be adversely affected which

required Plaintiff to get extensive care for his other teeth. The care rendered by the dentist on 11/20/15 at Pureview deviated from acceptable standards of dental care and the extraction was not done properly and broke the right mandible in the process.

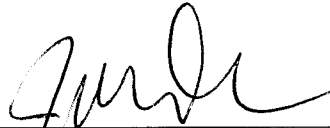
6. Plaintiff has incurred medical and dental expenses, a great deal of pain and suffering, damage to his life and lifestyle, and has been prevented from working, all to his great damage in an approximate amount of \$300,000.

WHEREFORE, Plaintiff prays for all damages, including special, general and compensatory damages, as are proved at trial, together with his costs and disbursements herein.

DATED this 5th day of September, 2018.

DOUBEK, PYFER, FOX & STORRAR PC

By



John C. Doubek
Attorney for Plaintiff